



CITY OF DANBURY
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ENVIRONMENTAL IMPACT COMMISSION
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**ENVIRONMENTAL IMPACT COMMISSION
MINUTES**

Wednesday, February 10, 2021
7:00 p.m.

ROLL CALL:

Chairman Bernard Gallo called the web-based meeting to order at 7:00 p.m. Present by roll call were: Mary Cronin, Geoff Herald, Mark Massoud, and Matt Rose. Also present were Environmental Compliance Officer Richard Janey and Secretary Mary S. Larkin.

ACCEPTANCE OF MINUTES: December 9, November 19, 2020

Motion to accept the minutes of November 19, 2020 was made by Mary Cronin, seconded by Matt Rose. In favor by roll call: Mary Cronin, Matt Rose, and Bernard Gallo.

Motion to accept the minutes of December 9, 2020 was made by Geoff Herald, seconded by Mark Massoud. In favor by roll call: Geoff Herald, Mark Massoud, Matt Rose, and Bernard Gallo.

OLD BUSINESS:

#1129 Encompass Health, Chipman Mazzucco Emerson LLC, Agent, Reserve Road & Corporate Center Drive (B15005) for In-patient, Physical Medical Facility

Ward Mazzucco, Esq. appeared on behalf of the applicant along with Project Engineer Erik Lindquist and Matt Popp, Landscape Architect & Environmental Specialist. Mr. Mazzucco asked if there were any questions. Commissioner Mark Massoud said that he reviewed the plans and has a better understanding of them and some of his previous questions were answered.

Mark Massoud said that in consultation with staff and the Chairman, they acknowledge that this is a big project, and they have some outstanding concerns. The Commission has contracted with a peer review consultant for a desktop-type review of the project for more input. Mr. Massoud thinks it will be in the category of one of the more outstanding items and that is: the impacts of short-term erosion control having to do with the clearing of about seven acres at once. Mr. Massoud recalls, from his experience, several sites cleared under that scenario, and when the site is cleared and adverse weather occurs, at some point it was extremely difficult to control. The Commission sought an expert opinion in the spirit of making suggestions to the proposed plan.

Mr. Massoud complimented the stormwater management plan that took into account removal of TSS, phosphorous, nitrogen, heavy metals and hitting some targets for pollutant reduction. We want to have somebody do a peer review to make sure all is in order and make suggestions to assist EIC in the review. The site is in Lake Kenosia watershed area so there are additional stormwater standards that need to be met. Mr. Massoud requested they make sure those standards will be met and are part of the stormwater calculations.

Senior Project Engineer Erik Lindquist, Tighe & Bond, offered to answer some of the questions and began by showing the erosion control plan, highlighting the area that will have a retaining wall, which will be significant and needs to be started as soon as possible as it will be a barrier that will protect the wetlands. All measures will be in place to further enhance the control, and they welcome any feedback from the third party reviewer. Mr. Lindquist acknowledged that they are aware of the Lake Kenosia Watershed and accounted for that in their calculations. He further discussed there are many measures in place to get rid of the pollutants on site including sumps in all of the catch basins, water quality system, gross particle separators, and infiltration system. He further explained in the latest revision they added check dams, which will address concerns about having sheet flow and discharge. More plantings were added.

Matt Popp, Landscape Architect, Professional Wetlands Scientist, Environmental Land Solutions, discussed the property and said they were keeping away from any wetlands. When the gas pipeline was installed about 2-3 years ago, there was some disturbance of the nicest part of that wetland. It has recreational value, such as wildlife watching.

Commissioner Geoff Herald visited the site last week and asked the height of the wall. Erik Lindquist said the highest point will be 25'. The wall gets shorter, down to 14' and gradually slopes up and disappears. Mr. Herald likened it to a fort, a rampart. Mr. Lindquist said because there is a dip down and then it goes back up, it will be less significant as related to the road. They tried to minimize this and chose the driveway location because it actually made the wall the lowest.

Motion to table Application 1129, Encompass Health, until the next regular meeting, scheduled for February 24, 2021, was made by Mark Massoud; seconded by Matt Rose. All in favor by roll call: Mary Cronin, Geoff Herald, Mark Massoud, Matt Rose, and Bernard Gallo.

NEW BUSINESS: None

PUBLIC HEARINGS: None

APPLICATIONS FOR ADMINISTRATIVE APPROVAL: None

ADMINISTRATIVE STAFF ACTIONS: None

VIOLATIONS: 24 Rowan Street Extension

Chairman Bernard Gallo informed the Commission that the violations have been remedied, and a letter was sent that the corrections are to our satisfaction.

OTHER MATTERS: None

CORRESPONDENCE:

Letter from Michael Safranek, Airport Administrator, re: 25 Miry Brook Road, dated 12/28/2020

Mr. Gallo explained that a Notice of Violation was filed against this property in 2008. It has been in and out of court, and there was an injunction; however, nothing was done and it fell through the cracks. Mr. Gallo explained that Mr. Safranek wants to know if the City takes over the property, does the City have to do all the remediation of the wetlands violations or if someone buys the property or leases it, would they be responsible? Mr. Gallo referred to a diagram, which no one had in their attachments. Mr. Massoud said that if the City takes over the property as the property owner, he thinks they inherit the violations. Sharon Calitro, Planning Director, was in attendance and suggested that Mr. Gallo bring this up the Corporation Counsel. Mr. Gallo explained that Corporation Counsel was aware of the letter. Mr. Gallo and Commissioners were in agreement with Mr. Massoud's statement.

Notification of DEEP Permit Application for the Use of Pesticides in State Waters, Lake Wackawanna, Danbury, CT

Notification of DEEP Permit Application for the Use of Pesticides in State Waters, Lees Pond, 100 Wooster Heights Road, Danbury, CT

Copy of recorded Declaration of Environmental Land Use Restriction & Grant of Easement, 36-38 Tamarack Avenue, between DJR Tamarack, LLC and Commissioner of Energy & Environmental Protection of the State of Connecticut.

ADJOURNMENT:

Motion to adjourn made by Matt Rose; seconded by Mary Cronin. All in favor by roll call: Mary Cronin, Geoff Herald, Mark Massoud, Matt Rose, and Bernard Gallo. Meeting adjourned at 7:26 p.m.

Respectfully submitted,

Mary S. Larkin
Recording Secretary